
Eminent Domain and Fifth Amendment Takings Seminar
October 29 - November 1, 2002
Columbia, South Carolina

Agenda

Tuesday, October 29, 2002

8:00 - 8:30 A.m. Room A032	Registration
8:30 - 8:45 A.m.	Opening Remarks
8:45 - 9:00 A.m.	Welcome
9:00 - 9:30 A.m.	Overview of Fifth Amendment Takings
9:30 - 10:00 A.m.	Physical Takings: Common Liability Considerations
10:00 - 10:15 A.m.	Break
10:15 - 11:05 A.m.	Physical Takings: Overflights, Flooding Erosion, Denial of Access, Unusual and Exotic
11:05 - 11:50 A.m.	Hybrid Takings: Water Rights, Rails-to-trails, and the Use of Class Actions
11:50 - 1:00 P.m.	Lunch
1:00 - 1:40 P.m.	Regulatory Takings: Origins, Threshold Inquiries
1:40 - 2:25 P.m.	Regulatory Takings: the <i>Penn Central</i> Test Part I – Character of the Government Action and Interference with Reasonable Investment- Backed Expectations
2:25 - 3:05 P.m.	Regulatory Takings: the <i>Penn Central</i> Test Part II – Economic Impact and Parcel as a Whole
3:05 - 3:15 P.m.	Break

3:15 - 4:30 P.m.	Regulatory Takings: Endangered Species, Wetlands, Surface Mining, Unpatented Mining Claims on Federal Land, Oil and Gas
4:30 - 5:15 P.m.	Highest and Best Use
5:15 P.m.	Recess
5:30 - 6:30 P.m.	Reception

Wednesday, October 30, 2002

8:30 - 9:20 A.m.	Temporary Takings: Moratoria, Extraordinary Delay, Changed Circumstances, and the <i>Tahoe</i> Temporal Slice
9:20 - 9:45 A.m.	Interest, and Fees and Costs under the Uniform Relocation Act
9:45 - 10:20 A.m.	Federal and State Interaction in Takings Litigation: the Attribution Issue
10:20 - 10:35 A.m.	Break
10:35 - 11:05 A.m.	Unauthorized and Unlawful Takings
11:05 - 11:35 A.m.	The Judgment Fund
11:35 - 12:00 P.m.	Practice in the Court of Federal Claims, and Life under the New Rules
12:00 - 1:00 P.m.	Lunch
1:00 - 2:00 P.m.	Ethics Training
2:00 - 2:30 P.m.	Overview of Eminent Domain Proceedings
2:30 - 2:45 P.m.	Break
2:45 - 3:45 P.m.	Introduction to Market Value - the Appraisal Process
3:45 - 4:00 P.m.	Break
4:00 - 5:00 P.m.	Introduction to the Uniform Appraisal Standards for Federal Land Acquisitions
5:00 P.m.	Recess

Thursday, October 31, 2002

8:30 - 9:30 A.m.	Introduction to Market Value - Approaches To Value
9:30 - 9:45 A.m.	Break
9:45 - 10:45 A.m.	Income/development Approach
10:45 - 11:30 A.m.	Temporary Takings

Thursday, October 31, 2002

10:45 - 11:30 A.m.	Temporary Takings (Continued)
11:30 - 11:45 A.m.	Break
11:45 - 12:15 A.m.	Working with the Appraiser as an Expert Witness - Legal Instructions
12:15 - 1:15 P.m.	Lunch
1:15 - 2:15 P.m.	Working with the Appraiser as an Expert Witness - Discussing the Appraisal Review
2:15 - 2:45 P.m.	Working with the Appraiser as an Expert Witness - Witness and Exhibit Preparation
2:45 - 3:00 P.m.	Break
3:00 - 3:30 P.m.	Attacking and Defending Appraiser Qualifications after Daubert and Kumho
3:30 - 3:45 P.m.	Break
3:45 - 4:45 P.m.	Hot Topics in Eminent Domain and Valuation
4:45 - 5:15 P.m.	Determination of Interest on Deficiencies
5:15 P.m.	Recess

Friday, November 1, 2002

8:30 - 9:30 A.m.	Title Evidence
9:30 - 9:45 A.m.	Break

9:45 - 10:45 A.m. **Partial Takings**

10:45 - 11:00 A.m. **Break**

Friday, November 1, 2002

11:00 - 12:00 P.m. **Use of Alternative Dispute Resolution in Eminent Domain
Litigation**

12:00 P.m. **Adjournment**